

Assembly Bill No. 142

CHAPTER 1

An act to amend Section 42238.43 of the Education Code, relating to education, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor February 10, 1998. Filed
with Secretary of State February 10, 1998.]

LEGISLATIVE COUNSEL'S DIGEST

AB 142, Brown. School districts.

(1) Existing law requires each county superintendent of schools to make specified calculations to determine a base revenue limit for each school district in the county. As part of that computation, existing law requires the Superintendent of Public Instruction to compute a revenue limit equalization adjustment for the 1996–97 fiscal year for each school district's base revenue limit pursuant to a provision under which the school district is classified in accordance with the size of its average daily attendance.

Notwithstanding these provisions, this bill would alter that formula with respect to any elementary, high, or unified school district that was funded in the 1996–97 school year as a large elementary, high, or unified school district by authorizing the use of the school district's actual revenue limit average daily attendance for the 1996–97 school year in the determination of the classification of the size of the school district under this provision.

(2) Under existing law, the creation of a district or the change in its boundaries is not effective for assessment or taxation purposes if a statement and map or plat is not filed by certain deadlines.

This bill would provide that notwithstanding those deadlines the boundary changes of the Rincon Valley Union Elementary School District and the City of Santa Rosa Elementary School District and the creation of the Eureka Unified School District are effective for assessment and taxation purposes for the 1998–99 fiscal year if the statement and map or plat are filed on or before January 31, 1998.

(3) The bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Section 42238.43 of the Education Code is amended to read:

42238.43. (a) (1) For the 1996–97 fiscal year, the county superintendent of schools, in conjunction with the Superintendent of

Public Instruction, shall compute an equalization adjustment for each school district in the county, so that no district's base revenue limit per unit of average daily attendance is less than the 1996–97 fiscal year statewide average base revenue limit for the appropriate size and type of district listed in subdivision (b).

(2) For purposes of this section, the district base revenue limit and the statewide average base revenue limit shall not include any amounts attributable to Section 45023.4, 46200, or 46201.

(b) Subdivision (a) shall apply to the following school districts, which shall be grouped according to size and type as follows:

District	ADA
Elementary	less than 101
Elementary	more than 100
High School	less than 301
High School	more than 300
Unified	less than 1,501
Unified	more than 1,500

(c) The equalization adjustment computed pursuant to this section shall only be funded from amounts appropriated for that purpose pursuant to Section 42238.42.

(d) (1) For the purposes of the computation made pursuant to paragraph (1) of subdivision (e) of Section 42238.42, the 1996–97 statewide average base revenue limits determined for the purposes of subdivision (a) and the fraction, if any, computed pursuant to paragraph (3) of subdivision (e) of Section 42238.42 by the Superintendent of Public Instruction for the 1996–97 second principal apportionment shall be final, and shall not be calculated as subsequent apportionments. In no event shall the fraction computed pursuant to paragraph (3) of subdivision (e) of Section 42238.42 exceed 1.00. If any iterations are required pursuant to paragraph (2) of Section 42238.42, the Superintendent of Public Instruction shall recompute the 1996–97 statewide average base revenue limit to include any adjustments made by the immediately preceding iteration.

(2) (A) For the purposes of determining the size of a school district under subdivision (b), the Superintendent of Public Instruction shall use a school district's revenue limit average daily attendance for the 1996–97 fiscal year as determined pursuant to Section 42238.5 and Article 4 (commencing with Section 42280).

(B) Notwithstanding subparagraph (A), for the purposes of determining the size of a school district under subdivision (b) with respect to any elementary, high, or unified school district that was funded in the 1996–97 school year as a large elementary, high, or unified school district, as determined pursuant to subdivision (a) of

Section 42238.5, the school district's actual revenue limit average daily attendance for the 1996–97 school year may be used. The actual revenue limit average daily attendance for the 1996–97 school year shall be used to calculate the 1996–97 revenue limit of a school district exercising the authority granted under this subparagraph. The governing board of a school district to which this subparagraph is applicable may exercise the authority granted under this subparagraph by enacting a resolution to that effect and transmitting a copy of that resolution to the Superintendent of Public Instruction on or before a date designated by the Superintendent of Public Instruction for that school year. After the Superintendent of Public Instruction receives the resolution, the superintendent shall make the necessary adjustments to the school district's revenue limit calculation.

SEC. 2. (a) Notwithstanding Section 54902, 54902.1, or 54903 of the Government Code, the boundary changes affecting the Rincon Valley Union Elementary School District and the City of Santa Rosa Elementary School District, both of which were reorganized with the approval of the Sonoma County Committee on School District Organization on November 5, 1997, and by order of the Sonoma County Board of Supervisors on December 16, 1997, shall become effective for assessment and taxation purposes for the 1998–99 fiscal year, if the statement and map or plat required by Section 54900 of the Government Code are filed with the assessor and the State Board of Equalization on or before January 31, 1998.

(b) Notwithstanding Section 54902, 54902.1, or 54903 of the Government Code, the unification of the Eureka City High School District and the Eureka City Elementary District, forming the Eureka Unified School District, with the approval of the voters on November 4, 1997, and by order of the Humboldt County Board of Supervisors on December 16, 1997, shall become effective for assessment and taxation purposes for the 1998–99 fiscal year, if the statement and map or plot required by Section 54900 of the Government Code are filed with the assessor and the State Board of Equalization on or before January 31, 1998.

(c) This section shall become inoperative on February 1, 1998. This section shall remain in effect only until December 1, 1998, and as of that date is repealed. The inoperative date and repeal of this section shall not be construed to deprive any district of any substantial right that would have existed had the inoperative date and repeal not been effected.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

So that funds may be efficiently and equitably apportioned in February 1998 to certain school districts that were funded as large

unified school districts in the 1996–97 school year but that were small unified school districts on the basis of actual 1996–97 school year average daily attendance and to allow the boundary and district changes described in Section 2 to be effective for assessment and taxation purposes for the 1998–99 fiscal year, it is necessary that this act take effect immediately.

